(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 405 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Petitioner no.1 in person.

CORAM : B. H. MARLAPALLE, J.

DATE : 17th September, 2004.

P.C.:

Heard the party in person. It appears his grievance as raised in this petition related to the non-inclusion of his name in the voter's list of Serula Comunidade. He appears to have directly approached the Administrative Tribunal and by Judgment dated 27th August, 2004, his appeal is dismissed as not tenable.

2. It was necessary for the petitioner to approach the Administrator of the concerned Comunidade first and submit representation setting out his grievance regarding non-inclusion of

his name in the voter's list. If the Administrator had decided against him, certainly an appeal to the Administrative Tribunal would lie and, therefore, when the petitioner was called upon to submit a copy of the representation he had made to the Administrator, he could not do so. The elections are already over pursuant to the directions given by this Court and, therefore, the only remedy available to the petitioners is to challenge the elections already held under the Code of Comunidade, if permissible. In the alternative, he may approach the Administrator and submit a representation.

The petition is therefore, rejected with liberty to approach the Administrator.

B. H. MARLAPALLE, J.

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